Jay B. Kasner
Christopher P. Malloy
Scott D. Musoff
SKADDEN, ARPS, SLATE,
  MEAGHER & FLOM LLP
Four Times Square
New York, New York 10036
(212) 735-3000

Attorneys for Defendants
  Kenneth D. Lewis, Joe L. Price, II,
  Bryan T. Moynihan, Charles H. Noski
  and Neil Cotty

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- x

PENNSYLVANIA PUBLIC SCHOOL
EMPLOYEES' RETIREMENT SYSTEM,   :
individually and on behalf of all others similarly
situated,   :   11 Civ. 733 (WHP)

                     Plaintiff,   :   **ECF Case**

          v.   :   **Electronically filed**

BANK OF AMERICA CORPORATION, et al., :   **NOTICE OF MOTION**

                 Defendants.   :

- x

        PLEASE TAKE NOTICE that, upon the Amended Consolidated Class Action

Complaint (the "Complaint") in the above-captioned action, dated August 13, 2012; the

accompanying Memorandum of Law in Support of the Motion of Defendants Kenneth D. Lewis,

Joe L. Price, II, Brian T. Moynihan, Charles H. Noski and Neil Cotty (the "Executive

Defendants") to Dismiss the Complaint, dated November 5, 2012; the accompanying Declaration

of Scott D. Musoff and exhibits thereto; and upon all prior pleadings and proceedings herein, the

Executive Defendants will move this Court, before the Honorable William H. Pauley at the

United States Courthouse, 500 Pearl Street, New York, New York, 10007, on a date and at a time

designated by the Court, for an Order: (a) pursuant to Rules 9(b), 12(b)(6) and 12(f) of the

Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act, 15 U.S.C. §

74u-4, dismissing the Complaint with prejudice as against them; and (b) for such other and

further relief as this Court may deem just and proper.

Dated: New York, New York
      November 5, 2012

                            /s/Jay B. Kasner
                            Jay B. Kasner (jay.kasner@skadden.com)
                            Christopher P. Malloy
                            (christopher.malloy@skadden.com)
                            Scott D. Musoff (scott.musoff@skadden.com)
                            SKADDEN, ARPS, SLATE,
                              MEAGHER & FLOM LLP
                            Four Times Square
                            New York, New York 10036
                            (212) 735-3000

                            Attorneys for Defendants
                             Kenneth D. Lewis, Joe L. Price, II,
                             Bryan T. Moynihan, Charles H. Noski
                             and Neil Cotty